



80/11/07

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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 7071 of 2007

PETITIONER

1. Sonu Ram Sahu, age about 58 years, Assistant Teacher, S/o Shri Punit Ram Sahu, Middle School Katalbord, Block-Kurud, District Dhamtari(CG)
2. Krishna Kumar Sahu, Age about 52 years, Assistant Teacher s/o Late Shri Sagar Ram Sahu, Middle School Darba, Block Kurud, District Dhamtari(CG)
3. Madan Lal Vishwakarma, age about 57 years, Assistant Teacher, s/o Late Shri Vrindavan Vishwkarma Primary School Chiparidih, Block Abhanpur, District Raipur(CG)
4. Sewa Ram Pall age about 56 years, Assistant Teacher s/o Shri Dauvaram Pall Govt. Primary School Dhentha Block Kurud, District Dhamtari(CG)
5. Narayan Singh Sahu, Age about 52 years, Assistant Teacher s/o Shri Vishal Ram Sahu Govt. Primary School Loharshi Block Dhamtari, District Dhamtari(CG)
6. Kashi Ram Sahu, Age about 57 years, Assistant Teacher, s/o Shri Eitwari Ram Sahu, Govt. Primary School Korra Block-Kurud, District Dhamtari(CG)
7. Rameshwar Rao Jadhaw Age about 56 years, Assistant Teacher s/o Shri Danji Rao Jadhaw, Govt. Girls Middle School Kharenga Block Dhamtari, District Dhamtari(CG)
8. Narrottram Nirmalkar Age about 52 years, Assistant Teacher, s/o Shri Anjor Ram Nirmalkar Middle School Bagdehi, Block-Kurud, District Dhamtari(CG)
9. Gopal Sahu, age about 56 years, Assistant Teacher, s/o Late Shri Shiv Dayal Sahu, Govt. Primary School Around (Li) Block Dhamtari, District Dhamtari(CG)
10. Bhola Nath Yadav age about 52 years, Assistant Teacher s/o Late Shri Hardev Ram Yadav Govt.



- Primary School Debhar, Block Dhamtari, District Dhamtari(CG)
11. Dineshwar Singh Gautam, age about 59 years, Assistant Teacher s/o Late Shri Kaliram Gautam Govt. Primary School Hatkeshar Block Dhamtari, District Dhamtari(CG)
 12. Sonau Ram Dhruw age about 54 year, Assistant Teacher s/o Late Shri Narsinghram Dhruw Govt. New Girls Hr. School Dhamtari, Block Dhamtari, District Dhamtari(CG)
 13. Anirudh Singh, age about 54 years, Assistant Teacher s/o Late Shri Rupuram Sahu, Govt. Girls Primary School Danitola, Block Dhamtari, District Dhamtari(CG)
 14. Tilak Ram Patel age about 54 years, Assistant Teacher s/o Late Shri Alakh Ram Patel Govt. Primary School Khisora Block Magarload, District Dhamtari(CG)
 15. Ramadhar Dewangan aged about 53 years, Assistant Teacher s/o Shri Kartik Ram Dewangan Govt. Primary School Kapalphondi Block Magarload, District Dhamtari(CG)
 16. Uday Ram Sahu age about 51 years, Assistant Teacher s/o Shri Laxman Singh Sahu, Middle School Amadi, Block Dhamtari, District Dhamtari(CG)

Versus**RESPONDENTS**

1. State Govt. of Chhattisgarh, Through The Secretary, Tribal & Education Department, D.K.S. Bhawan, District Raipur (C.G.)
2. District Education Officer, District Raipur/Dhamtari
3. Block Education Officer, Kurud/Magarload/Dhamtari
4. Treasury, Accounts & Pension, District Raipur/Dhamtari

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

**Appearance:**

Shri Somkant Verma, Counsel for the petitioners.
Ms. Sunita Jain, Panel Lawyer for the State on advance copy.

ORAL ORDER
(28.11.2007)**SUNIL KUMAR SINHA, J**

Heard.

Learned counsel for the petitioners submits that the issue involved in the case is as to whether the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period. He submits that the issue involved herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No.2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. and others), wherein, it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No.6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from the date of initial appointment.

Learned counsel for the petitioners further submits that this Court, while considering the same issue in Ram Kumar Sahu and others Vs. State Govt. of Chhattisgarh and another (W.P.(S) No.813 of 2007) by order dated 12.2.2007, has granted regular pay scale w.e.f. the date of initial appointment.

Learned counsel for the parties jointly submits that this case is squarely covered by the decision of this Court in the case of Ram Kumar Sahu and another (supra).

In view of that, this petition is allowed in the same terms.

However, this order shall be subject to all verifications made by the State regarding facts pleaded in the petition.

Sd/-
Sunil Kumar Sinha
Judge

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